



Local Agency Guidelines



Montana Department of Transportation

December 2004

Local Agency Guidelines

Table of Contents

	<u>Page</u>
Chapter 1 Introduction	
Purpose	1-1
Constraints	1-1
Organization of the Manual	1-1
Updating Process	1-2
Chapter 2 Planning Requirements & Urban Funding Program	
2.1 General Discussion	2-1
2.2 Coordination With Planning Agencies	2-1
2.3 Surface Transportation Program- Urban (STPU)	2-3
2.4 Appendix	2-4
2.41 Transportation Plan and Transportation Improvement Program (TIP) Process	2-5
Chapter 3 Becoming Certified to Administer FHWA Projects	
3.1 General Discussion	3-1
3.2 Certification Acceptance Features	3-1
3.3 Certification Acceptance Requirements	3-2
3.4 Application for Certification Acceptance	3-2
3.5 Certification Acceptance Compliance	3-4
3.6 Appendixes	3-4
3.61 Certification Acceptance Qualification Agreement	3-5
3.62 Certification Acceptance Interview Form	3-7
Chapter 4 Developing Projects Using the Local Agency Guidelines	
4.1 General Discussion	4-1
4.2 Project Development Process Overview	4-1
4.3 Standards	4-3
4.4 Project Development Process Flow Chart and Checklist	4-3
4.5 Appendixes	4-4
4.51 Project Development Process Flow Chart	4-5
4.52 Project Development Checklist	4-6
Chapter 5 Program Administration	
5.1 General Discussion	5-1
5.2 Local Government Responsibility	5-1
5.3 Applicable Requirements	5-2
5.4 Project Start-up	5-2
5.5 Reimbursement for Eligible Activities	5-3
5.6 Code of Ethics	5-4
5.7 Conflicts of Interest	5-4
5.8 Attending Workshops	5-5

5.9	Project Management Plan	5-5
5.10	Project Development Schedule	5-6
5.11	Preparing the Project Specific Agreements (PSAs)	5-7
5.12	Program & Project Files	5-8
5.14	Public Involvement	5-10
5.15	Resolving Complaints	5-14
5.16	Single Audit Act	5-15
5.17	Summary	5-15
5.18	Appendixes	5-15
5.181	Acronym & Glossary Terms	5-16
5.182	List of Eligible Local Governments	5-21
5.183	Project Development Flow Chart	5-22
5.184	Project Management Plan	5-23
5.185	Project Development Schedule	5-29
5.186	Conflict of Interest requirements for this Local Agency Federal-aid Program	5-31
Chapter 6	The Project Proposal	
6.1	General Discussion	6-1
6.2	Procedure for Compiling the Project Application Package	6-1
6.3	Appendixes	6-1
6.31	Proposal Submittal Checklist	6-2
6.32	Instructions for Project Application Transmittal Items	6-3
6.33	Instructions for Completing Project Proposal	6-5
6.34	Local Agency Federal Aid Project Proposal	6-9
6.35	Proposal Planning Scope of Work	6-12
Chapter 7	The Local Agency Agreement	
7.1	General Discussion	7-1
7.2	Preparation Procedure	7-1
7.3	Supplemental Agreement	7-1
7.4	Appendixes	7-2
7.41	Local Agency Agreement	7-3
7.42	Instructions for Preparing Local Agency Agreement	7-9
7.43	Local Agency Agreement Supplement	7-11
7.44	Instructions for Preparing Local Agency Agreement Supplement	7-13
Chapter 8	Fiscal Management & Audit Procedures	
8.1	General Discussion	8-1
8.2	Billing Procedures for Local Agency Ad and Award and Agency Force Work	8-1
8.3	Billing Procedures for State Ad and Award	8-2
8.4	Identification of Federal Aid Participating and Nonparticipating Charges	8-2

Chapter 9	Environmental Processes	
9.1	General Discussion	9-1
9.2	Project Classification	9-2
9.3	Procedures for EIS Projects	9-5
9.4	Procedures for CE Projects	9-14
9.5	Procedures for EA Projects	9-14
9.6	Project Reevaluation	9-16
9.7	Project Reviews	9-17
Chapter 10	Right-of-Way Procedures	
10.01	General Discussion	10-1
10.02	Right-of-Way Acquisition Procedures	10-2
10.03	Funds for Right-of-Way	10-3
10.04	Appraisal	10-4
10.05	Title	10-6
10.06	Negotiations	10-7
10.07	Donated Property	10-7
10.08	Administrative Settlements	10-8
10.09	Condemnation Process	10-9
10.10	Relocation	10-9
10.11	Right-of-Way Certification	10-9
10.12	Property Management	10-10
10.13	Document Retention	10-11
10.14	Appendixes	10-11
10.141	Right-of-Way Procedures	10-13
10.142	Right-of-Way Project Funding Estimate Sample	10-15
10.143	True Cost Estimate Sample	10-18
10.144	Appraisal Report Forms (Sample)	10-21
10.145	Appraisal Waiver Procedure (Sample)	10-27
10.146	Review Appraiser Form (Sample)	10-31
10.147	Donation Statements (Sample)	10-33
10.148	Certification #1 (Sample) — All Right-of-Way Acquired	10-35
10.149	Certification #2 (Sample) Right to Occupy All Right-of-Way Acquired	10-36
10.150	Certification #3 (Sample) — All Right-of-Way Not Acquired	10-38
10.151	MDT Policy – Uniform Right-of-Way Widths	10-40
10.152	Coordinators Worksheets (Sample)	10-43
10.153	Federal Aid Requirement Checklist	10-46
10.154	Governmental Agreement For Aid	10-48
Chapter 11	Civil Rights and Davis Bacon Programs	
11.1	General Discussion	11-1
11.2	Contract Administration – EEO Contract Compliance	11-1
11.3	Contract Administration - Davis Bacon Compliance	11-2

11.4	Contract Administration – Disadvantaged Business Enterprise	11-2
11.5	Appendixes	11-2
11.51	DBE Requirements	11-3
11.52	Annual EEO Submission	11-7
11.53	Form 1273	11-13
Chapter 12	Using Consultants	
12.1	General Discussion	12-1
12.2	Advertisement/Solicitation	12-1
12.3	Pre-Award Audits/Reviews	12-3
12.4	Written Consultant Selection Process	12-3
12.5	Standard Agreement and Exhibits	12-6
12.6	Supplements to the Agreement	12-6
12.7	Oversight of the Agreement and Project Closure	12-7
12.8	Appendixes	12-8
12.81	Consultant Services Procedures	12-10
12.82	Sample Advertisement	12-28
12.83	Consultant Services Request for SOQ/RFP	12-29
12.84	Billing Invoice	12-34
12.85	MDT Performance Evaluation Consultant Services	12-38
12.86	Consultant Service Agreement	12-42
12.87	Consultant Service Agreement Appendix	12-57
12.88	Supplemental Agreement	12-86
Chapter 13	General	
13.1	General Discussion	13-1
13.2	New Construction/Reconstruction Projects	13-2
13.3	Resurfacing and Rehabilitation Projects	13-3
13.4	Design Exceptions	13-6
13.7	Appendixes	13-7
13.71	Safety Checklist — A Guideline for Resurfacing and Rehabilitation Projects	13-8
13.72	Sample Design Exception Analysis Format	13-10
Chapter 14	Design Standards	
14.1	General	14-1
14.2	Geometric Design Standards for Urban and Developed Areas	14-1
14.3	Appendixes	14-1
14.31	MDT Geometric Design Standards for Urban and Developed Areas	14-2
Chapter 15	Preliminary Field Review and Scope of Work Approval	
15.1	General Discussion	15-1
15.2	Requirements for Scope of Work Approval	15-1
15.4	Value Engineering	15-3
15.5	Additional Data Required for Special Projects	15-6
15.6	Design Approval Notices	15-6

15.7	Appendixes	15-6
15.71	Sample Request to Publish Notice of Design Approval	15-7
15.72	Sample FHWA Project Notice of Approval of Location and Design	15-8
15.73	Sample Format VE Assessment Report	15-9
15.74	Preliminary Field Review Checklist	15-10
Chapter 16	Plans, Specifications, and Estimates	
16.1	General Discussion	16-1
16.2	PS&E Requirements	16-1
16.3	Document Requiring Professional Stamps	16-3
16.4	Contract Plans	16-4
16.5	Specifications	16-4
16.6	Estimates	16-5
16.7	Appendixes	16-6
16.71	Sample Proposal (Metric/English)	16-7
16.72	Sample Contract	16-9
16.73	Sample Estimate and Grouping (Metric/English)	16-13
16.74	Permits	16-20
16.75	Local Agency Plans Preparation Checklist	16-22
16.76	Subcontractor List	16-24
16.77	Disadvantaged Business Enterprise Utilization Certification	16-25
16.78	Sample Invitation for Bids	16-28
16.79	Form 1273 Required Contract Provisions, FHWA Construction Contracts	16-30
16.80	Form LLL Disclosure of Lobbying Activities	16-47
16.81	EEO Affirmative Action Requirements on Federal & Federal-Aid Construction Contracts	16-51
Chapter 17	Advertising and Award Procedures	
17.1	General Discussion – State Advertising and Award Procedures	17-1
17.2	Submittals	17-1
17.3	Advertising and Award Procedures	17-1
17.4	General Discussion- Local Advertising and Award Procedures	17-2
17.5	Procedures	17-2
17.6	Submittal of Award Data	17-5
17.7	Appendixes	17-5
17.71	Sample Submittal of Award Data	17-7
17.72	Sample Advertisement	17-8
17.73	Sample Condition of Award Letter (DBE Contract Goals)	17-9
17.74	Sample Condition of Award Letter (DBE Prime Contractor)	17-10
17.75	Sample Contract Bond	17-11
17.76	Sample Revenue Report	17-13

Chapter 18	MDT Administered Projects	
18.1	General Discussion	18-1
18.2	Preconstruction Conference	18-1
18.3	Changes and Extra Work	18-1
Chapter 19	Local Administered Projects	
19.1	General Discussion	19-1
19.2	Preconstruction Conference	19-1
19.3	Quality Control	19-2
19.4	Progress Payments	19-3
19.5	Changes and Extra Work	19-3
19.6	Termination of Contract – see Standard Specifications	19-4
19.7	Compliance With Federal Contract Provisions	19-4
19.8	Physical Completion of Construction	19-4
19.9	Appendixes	19-5
19.91	Sample Preconstruction Conference Agenda	19-7
19.92	Sample Preconstruction Conference Minutes	19-9
19.93	Sample Letter Requesting MDT Project Inspection and Acceptance	19-10
19.94	Sample Materials Certification	19-11
19.95	Timeline for Construction Contracts	19-12
19.96	Weekly Statement of Working Days	19-13
19.97	Change Order	19-14
19.98	FHWA Form WH-347	19-15
Chapter 20	Project Closure	
20.1	General Discussion	20-1
20.2	Closure	20-1
20.3	Project Management Review	20-2
20.4	Financial and Compliance Audit	20-3
20.5	Appendixes	20-4
20.51	Local Agency Documentation Review Checklist	20-5
20.52	Final Inspection of Federal Aid Project	20-8
20.53	Labor Compliance Spot Check	20-9
20.54	Final Labor Certificate	20-10